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OU Law's Digital Initiative: Charting the course for legal

BY JONELLA FRANK

By providing iPads to each student in the J.D. program at the beginning of the 2014 fall semester, the OU College of Law became the first law school in the nation to launch a college-wide Digital Initiative. Taking a giant step in tailoring its legal education experience to meet the demands of the 21st-century legal profession, OU Law reinforced its commitment to innovation by ensuring graduates are technologically adept in the digital world and have a competitive edge in the job market.

As part of One University – OU's campus-wide digital initiative – the College of Law's iPad program is designed to position graduates to hit the ground running as technologically proficient lawyers. They will be at the forefront of the technology proficiency learning curve, with increased professional marketability. OU Law's Digital Initiative also provides a substantial cost savings on books. The number of textbooks and study aids available in electronic format is growing, and the cost of an e-book is generally one-third less than print. In addition, the law library now subscribes to the most

heavily used study aids, like nutshells and hornbooks, online.

OU Law Dean Joe Harroz served on the task force responsible for launching One University. He realized the importance of

developing a program for the College of Law and its students.

"Tomorrow's most talented lawyers must be proficient with technology. They will research, annotate, organize and present



education in the digital age

“TOMORROW’S MOST TALENTED LAWYERS MUST BE PROFICIENT WITH TECHNOLOGY. THEY WILL RESEARCH, ANNOTATE, ORGANIZE AND PRESENT IN THE DIGITAL MEDIUM.”

— OU LAW DEAN JOE HARROZ



in the digital medium. From the office to the boardroom to the courtroom, they must be skillful in employing software applications to enhance their effectiveness and efficiency,” said Harroz.

Survey results compiled by the American Bar Association demonstrate that point. For more than a decade, the ABA has annually surveyed practicing attorneys about their use of technology, publishing the results in a Legal Technology Survey Report. The 2011 report showed 20.2 percent of the attorneys had tablet computers in their law firms. Three years later in the 2014 report, the percentage stood at 54.3, representing a 34.1 percent increase in a profession often labeled as slow to change.

The 2014 report also indicated that of those tablets used in law firms, 83.9 percent were iPads. First introduced in April 2010, the iPad’s use has expanded from general productivity activities like email and calendaring to law-specific functions. Legal research, organization and presentation of trial materials, as well as case management also can be done on an iPad. More than 2,000 law-related iPad apps are available in the iTunes store.

In early spring 2014, Harroz called on Darin Fox (’92), associate dean and director of the law library, to develop, coordinate and lead OU Law’s Digital Initiative. Fox had returned to his alma mater in 2005 with 11 years’ experience in computing services and information technology at the University of Southern California Law School, where he served as associate dean of information technology and law library prior to returning to Oklahoma.

Fox enthusiastically took on the project and began writing a proposal, developing curriculum and coordinating the various facets of the Digital Initiative. The program was approved, and three months later, nearly 500 iPads were distributed during the first two weeks of the fall semester. Each student was assigned an iPad Air (16 GB, Wi-Fi, with keyboard case) to use while enrolled at the College of Law.

Students are trained to use the iPads in academic and professional settings through a series of workshops and integrated curriculum offered throughout their law school career. First-year students learn how to use the device for general productivity and study. Functions taught include email, calendaring, contacts and note-taking. In their Legal Research, Writing and Advocacy course, 1Ls are taught how to conduct legal research and manage the resulting information.

In the second and third years of law school, students are instructed on how to use an iPad in practice. In practice skills courses, including Evidence, Trial Techniques and Legal Clinic, students learn to use the iPad in a law office and courtroom setting. They are taught how to work with electronic documents, organize case files and present information in meetings and in court.

“With the Digital Initiative, our students will learn the law through the immersive use of technology,” said Harroz. “The iPad provides a common tool and platform. The college-wide scale of this project will foster collaboration and facilitate instructional innovation.”

The College of Law recommends all students download 14 general-use

software applications, which are free, or available through university license. Additionally, law-related apps, such as TrialPad, TranscriptPad, iJuror and Clio, for use in legal practice, are downloaded at training sessions.

Training sessions also have been offered to OU Law faculty. Six voluntary sessions held during the summer were well-attended. Faculty members were instructed on basic iPad functionality; accessing, organizing and annotating files in teaching and research; presenting information; conducting research and



collaborating; creating video; and key iPad apps used in legal practice.

Fox is pleased about the level of acceptance the program enjoyed in its first semester. "It has generated a buzz among the students," he said. "They are excited about it. Students are learning how they can use their iPads for study and practicing law, and they are teaching each other."

In addition, Fox said a number of faculty members have embraced the use of technology and are serving as trailblazers,

utilizing the iPad in different ways in the courses they teach.

Brian McCall, associate dean for academic affairs, taught a new experiential learning class – Transactional Law Practicum – during the fall semester. The students learned about transactional law by participating in a simulated business transaction between two public companies.

The iPad was integrated into several different phases of the course. Students were divided into law firms representing

the parties to the transaction. The firms participated in conference calls, using BaiBoard, a collaborative whiteboard app that allows users to create, collaborate and share in real time. Other apps used were OneDrive for online storage and sharing documents; Notability for marking documents to make and receive comments; and Clio for law practice management matters such as time reporting and billing.

McCall and his students learned how to use the technology at the same time, utilizing training videos produced by the app providers and some live training. Explaining his students' reaction to using their iPads in class, McCall said, "Some students were slightly apprehensive at first, but overall, they were enthusiastic by the end of the course. The class provided a safe environment in which to learn how to make use of emerging technology. These students gained experience that other law graduates will not have as they enter the profession."

Mary Sue Backus, director of experiential learning and academic support, incorporated iPad use into two courses with varied class sizes. In her Education Law course, 13 students used the iPad app, Socrative, to respond to a question or fact situation presented to them. Socrative is a student response system that allows students to respond in text, in addition to multiple choice and yes/no formats. Backus used the app, which is free and easy to use, to get discussions started in the class.

In her Evidence class of 78 students, BaiBoard was used in discussing rules of evidence. The text of the relevant rule would be displayed on the whiteboard and Backus would call on a student to



provide annotation or highlighting in response to a question she posed.

Additionally, Backus asked the students to video record themselves making an evidentiary objection regarding relevance and upload it to the course website. They were then required to watch and comment on the objections of five of their classmates.

Backus was pleased with the results and intends to incorporate more of this type of assignment in future classes. "This exercise provided multiple levels of learning," she said. "Having to make your objection is valuable, but even more valuable is watching yourself make the objection. Self-critique is most rewarding."

Reacting to being characterized as a trailblazer, Backus said, "The students will be the real innovators. The students will take it and run with it."

In the Trial Techniques course taught by Professor Ted Roberts, students got hands-on experience using their iPads in simulated trial situations. After a 30-minute software training session on TrialPad, the students were required to use the app for an assignment. "I wanted them to use it, to experiment with it," said Roberts.

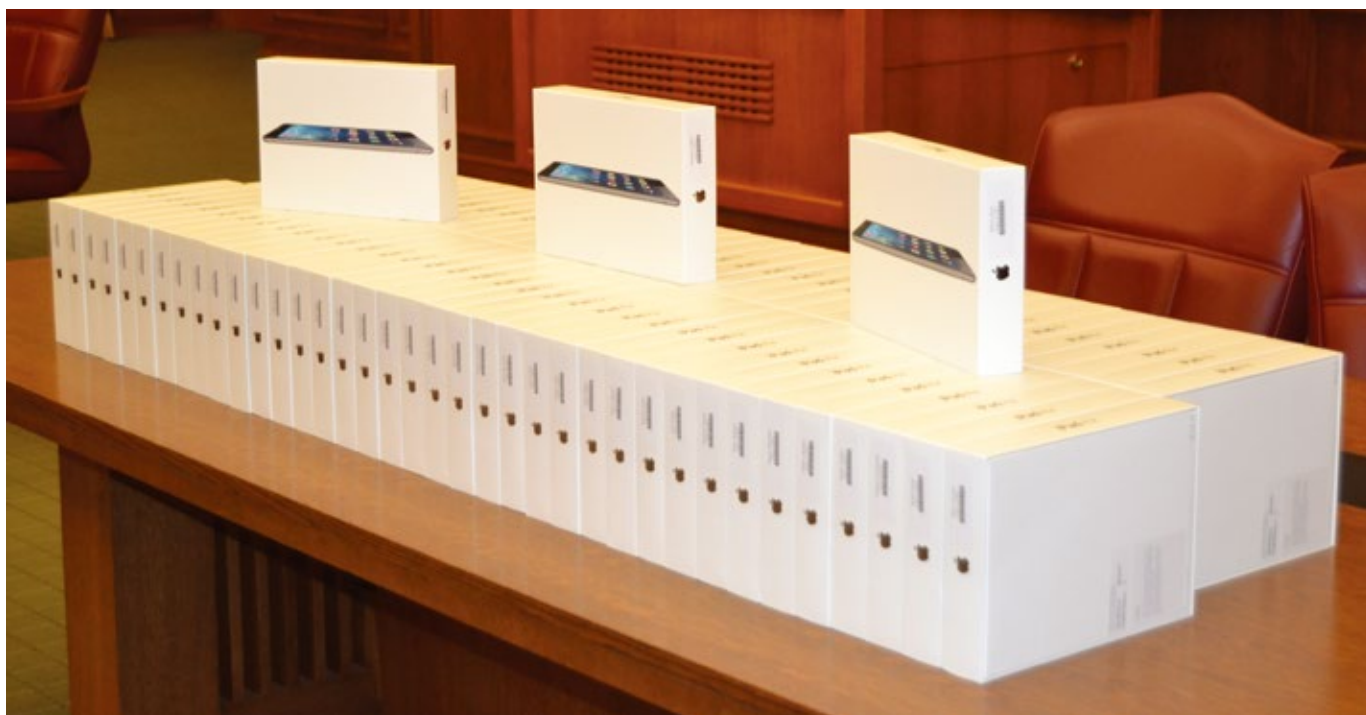
Roberts stressed to his students that any technology should be used as a supplement to, not a substitute for, lawyering skills. He also discussed the possibility of a technological failure and the necessity of having a backup plan. "In the event of a total, or even a partial system failure, the technology that was meant to be an advantage can turn into a disadvantage in the courtroom if you have no backup plan," explained Roberts.

Although he did not require his students to use TrialPad in their final trials, all of them did. Roberts was pleased with

how effectively the students used the technology. In the future, he plans to have students use the iPads during witness examination for note-taking and pulling up depositions.

Third-year student Jesse Muth considers the iPad an effective tool. "We used TrialPad in almost every class," he commented. "Everything from admitting exhibits, to impeachment of witnesses, examining and cross-examining experts and even in our final trial."

After talking with practicing attorneys about the cost of hiring graphic design firms to prepare visual aids for use at trial, Muth sees the use of TrialPad as a game-changer for litigators. "Especially for a smaller firm, TrialPad on an iPad is a great way to be able to do many presentational-type things in the courtroom that, in the past, were only open to firms willing to spend a lot of money," he said.





Muth's classmate, Joe Trail, also was impressed with the usefulness of the iPad and TrialPad. "The app has some great features, that not only made using it a breeze, but made the whole experience and presentation very professional and efficient," Trail said. "TrialPad's built-in laser pointer and the ability to extract portions of text make it a state-of-the-art trial tool."

Third-year student Kim Beight is president of the OU Law Board of Advocates, the student organization responsible for hosting several intra-school and inter-school competitions. Beight is excited about the role iPads can play in the competitions the group hosts. The iPads will allow more efficient communication

and greatly improve the BOA's ability to run a smooth, successful competition.

"It really takes a village to plan a competition, and there are many moving parts in play at any given time," she said. "A centralized source of administrative documents will ensure we each have consistent access to the most up-to-date information on the status of each task. When we host competitions, we represent OU Law, and we want to put our best foot forward and give participants the best possible experience."

Technological advancements continue to alter the landscape in all sectors of modern society. Your physician maintains electronic medical records; the car

dealership relies on a digital service history of your automobile; and you are able to log in to the "parent portal" at your child's school to access grades, attendance records and other pertinent information.

More and more professions and businesses will adapt and react to developing technology. The legal profession is no exception. Historically, new technology has brought change to the legal profession. Think electric typewriters, fax machines, mobile phones, personal computers, the Internet, laptops, email and electronic filing.

"Law firms have increasingly expressed an interest in students who have advanced technology skills," said Casey

Delaney, assistant dean for external affairs. "From conducting legal research online, to utilizing technology in trial that was formerly outsourced, advanced technology has become a crucial skill for a new associate to offer prospective employers."

he stated. "I'm constantly looking on my iPad and at the app store to see what other apps are available that will enhance my practice. I couldn't possibly do the things I do if I didn't have this technology."

firms the most technologically advanced law graduates in the nation," Delaney said. "We are giving our students the technological skills necessary to stand out in the marketplace."

The Digital Initiative has created a more dynamic classroom experience by providing students with the tools they will need to succeed. To ensure its graduates will be prepared to take their places in the rapidly evolving legal profession, the College of Law has embraced digital technology, facilitating instructional and



"LISTENING TO EMPLOYERS' NEEDS AND EXPECTATIONS, OU LAW HAS RESPONDED AND IS ON THE LEADING EDGE, OFFERING LAW FIRMS THE MOST TECHNOLOGICALLY ADVANCED LAW GRADUATES IN THE NATION."

— CASEY DELANEY, Assistant Dean for External Affairs

On the topic, Oklahoma City attorney David Donchin ('84) pulls no punches. "I think it's imperative for schools like the University of Oklahoma College of Law and any law school to embrace technology," he said. "It needs to be part of a curriculum. You've got to produce lawyers who understand technology and can use it and apply it in practice."

Jeremy Tubb ('95), who also practices law in Oklahoma City, concurs. "I can't imagine how you'd be able to come into the law practice, doing the kind of thing we do now, without being very familiar with and able to utilize technology,"

Abby Nathan, a 3L in Roberts' Trial Techniques class, expects to use her iPad in practice after graduation. "I've even shown a few attorneys how to use the iPad to become more effective inside the courtroom and in everyday practice," she said. "I absolutely think my knowledge of this technology will help after graduation. The Digital Initiative has given me a distinct advantage as a future attorney."

"Listening to employers' needs and expectations, OU Law has responded and is on the leading edge, offering law

scholarly innovation, and producing the first generation of digital legal natives who possess capabilities to practice law more efficiently. Everybody wins – the students, the legal profession and legal consumers. | **SL** |

More from the students...

My use of the iPad is twofold: (1) I use my iPad as an organizational tool – between iCal, Reminders and Evernote, my life runs on my iPad; and (2) I use my iPad as a second screen for research and writing. I view documents on my iPad in pdf form, which allows me to easily move through and annotate, and I write on my laptop using Microsoft Word.

The iPad has changed the way I do law school. I love using Evernote. It is very easy to format and paste pictures or documents, which allows me to organize my notes, pictures of diagrams and documents in a single notebook in a neat, organized and logical order.

The iPad program at the OU College of Law has provided me with an understanding of how to use present technology while also providing me with experience in adapting to new technologies that will hopefully motivate and compel me to do so again in the future.

— JONATHAN WEDEL, 2L

I initially thought of iPads as techie toys. The training sessions helped me to see how they could be used by professionals in practical settings. Training transformed my iPad from a toy to a legal practitioner's tool.

The iPad has allowed me to integrate my technology usage with the rest of the law school community. Documents can clash and acquire formatting errors when opened on a Mac versus a PC. Now, everyone has a common tool in the iPad. It has become easier to collaborate with other students on projects using apps like Dropbox.

I recently started working in a District Attorney's Office. On my first day of work, I witnessed an ADA use an iPad in the courtroom to stay updated on the emerging facts of cases and collaborate with staff. The courtroom and the surrounding offices have Wi-Fi networks. The law practice of today demands competency in technology. From my own experience I see that iPads are becoming increasingly common in the courtroom.

— JONATHAN BREWER, 3L

I learned of the iPad program through an email received after I was accepted into OU Law. I thought it set OU apart from other law schools. The other schools seemed to be bragging about what they have done in the past, while OU Law was already letting me know the great things they would be doing for the future.

With the use of iPads in the workforce continuing to rise, I feel this knowledge will help me immensely. I believe it will put me one step ahead of other graduates.

— LAURA COCHRAN, 1L

We are able to do so much on our iPads. I have used my iPad for note-taking, research, word processing and email correspondence – pretty much everything.

This technology will be so helpful. I went to one lunch and learn on technology and being a lawyer. There is so much that is done and can be done as a future attorney.

Thank you, OU, for spearheading this initiative. I am so excited and grateful!

— GENNI ELLIS, 1L

The training sessions have been extremely helpful. They offer a forum to learn the ins and outs of the iPad that I cannot figure out on my own, and increase the usability of my iPad and my efficiency.

The iPad has been a great tool to supplement my law school experience.

My use of the iPad in my professional career is where I truly see the digital initiative paying off. The iPad is small and I can take it anywhere. I plan on utilizing it to its full potential after I graduate.

— MITCHELL SPENCER, 1L